

Sexting Guidance for schools and colleges

UK Council for Child Internet Safety

What do we know?

- ▶ What do you consider sexting to be?
- ▶ How common do you think it is among young people?
- ▶ What are the risks?
- ▶ How would you deal with an incident?

Recent NSPCC research

Martellozzo, et al (2016) I wasn't sure it was normal to watch it.

- ▶ 13% of 11- 17 yrs taken a topless photo
- ▶ 3% fully naked
- ▶ 50% of these young people sent it to someone else
- ▶ 35% (52 young people) of this group sending it to someone they don't know

Around **1 in 7** young people have taken a semi-naked/naked picture of themselves. Over half went on to share the picture with someone else.



Why do young people do it?

- ▶ There are many reasons why a young person may want to send a naked or semi-naked picture, video or message to someone else.
- ▶ joining in because they think that 'everyone is doing it'
- ▶ boosting their self-esteem
- ▶ flirting with others and testing their sexual identity
- ▶ exploring their sexual feelings
- ▶ to get attention and connect with new people on social media
- ▶ they may find it difficult to say no if somebody asks them for an explicit image, especially if the person asking is persistent

What are the risks?

- ▶ No control of the image once shared
- ▶ Blackmail, bullying and Harm
 - ▶ **Blackmail.** An offender may threaten to share the pictures with the child's family and friends unless the child sends money or more images.
 - ▶ **Bullying.** If images are shared with their peers or in school, the child may be bullied.
 - ▶ **Unwanted attention.** Images posted online can attract the attention of sex offenders, who know how to search for, collect and modify images.
 - ▶ **Emotional distress.** Children can feel embarrassed and humiliated. If they're very distressed this could lead to suicide or self-harm.

The Law

Making, possessing, and distributing any imagery of someone under 18 which is indecent is illegal. This includes imagery of yourself if you're under 18.

Indecent is not definitively defined in law, but images are likely to be considered indecent if they depict:

- ▶ a naked young person
- ▶ a topless girl
- ▶ an image which displays genitals, and
- ▶ sex acts including masturbation.
- ▶ indecent images may also include overtly sexual images of young people in their underwear

These laws weren't created to criminalise young people but to protect them.

Sexting in schools and colleges:

Responding to incidents and
safeguarding young people



UKCIS
UK COUNCIL FOR CHILD INTERNET SAFETY

Youth produced sexual imagery

'Youth produced sexual imagery' has been chosen as the most accurate description because:

- 'Youth produced' involves children sharing images that they, or another child, have created of themselves. Youth, young person or child in this context means anyone under the age of 18.
- 'Sexual' is clearer than 'indecent'. A judgement of whether something is 'decent' is both a value judgement and dependent on context.
- 'Imagery' covers both still photos and moving videos which are increasingly common

What types of incidents are covered by the new guidance?

- ▶ A child creates and shares sexual imagery of him/herself with a peer (also under the age of 18).
- ▶ A child shares sexual imagery created by another child with a peer (also under the age of 18) or an adult.
- ▶ A child is in possession of sexual imagery created by another child.

Not included

- ▶ **The sharing of sexual imagery of children by adults.** This constitutes child sexual abuse and schools should always inform the police.
- ▶ **Children sharing adult pornography or exchanging sexual texts which do not contain imagery.** This may well be a safeguarding matter but is unlikely to be criminal.
- ▶ **Sexual imagery downloaded from the internet (and potentially shared with others) by a child.** Again this may be a safeguarding matter, and may be a criminal matter if the images are unlawful, but it is distinct from youth produced sexual imagery.

The response to youth produced sexual imagery

The response should be guided by the
‘principle of proportionality’.

‘The primary concern at all times should be
the welfare and protection of the young
people involved.’

Handling incidents

- ▶ The incident should be referred to the DSL as soon as possible.
- ▶ The DSL should hold an initial review meeting with appropriate school staff.
- ▶ The DSL should follow the procedures and guidance set out in *Sexting in schools and colleges: responding to incidents and safeguarding young people*. This contains detailed advice on referrals (see below).
- ▶ There should be subsequent interviews with the children involved (if appropriate).
- ▶ Parents should be informed at an early stage and involved in the process (unless there is good reason to believe that involving parents would put the child at risk of harm).
- ▶ At any point in the process if there is a concern a child has been harmed or is at risk of harm a referral should be made to children's social care and/or the police immediately.

Referral to police or social care

- ▶ The incident involves an adult.
- ▶ There is reason to believe that a young person has been coerced, blackmailed or groomed, or if there are concerns about their capacity to consent (for example, owing to age or special educational needs).
- ▶ What you know about the imagery suggests the content depicts sexual acts which are unusual for the young person's developmental stage, or are violent.
- ▶ The imagery involves sexual acts and any pupil in the imagery is under 13.
- ▶ You have reason to believe a young person is at immediate risk of harm owing to the sharing of the imagery, for example, the young person is presenting as suicidal or self-harming.

Crime recording

When the police are notified about youth-produced sexual imagery, they must record this as a crime. The incident is listed as a crime, and the young person is the suspect. This is, however, not the same as a criminal record.

Every crime reported to the police must have an outcome code. The NPCC, Home Office and the DBS have agreed a new outcome code for youth-produced sexual imagery.

Outcome 21: This outcome code allows the police discretion not to take further action if it is not in the public interest, even though there is enough evidence to prosecute.

Using this outcome code is likely to mean the offence would not appear on a future Enhanced DBS check, although not impossible, as that disclosure is a risk-based decision. Schools can be assured that the police have the discretion they need not to adversely impact young people in the future.

Assessing the risks once the images have been shared

- ▶ Has it been shared with the knowledge of the young person?
- ▶ Are adults involved in the sharing?
- ▶ Was there pressure to make the image?
- ▶ What is the impact on those involved?
- ▶ Does the child or children have additional vulnerabilities?
- ▶ Has the child taken part in producing sexual imagery before?

Viewing images

- ▶ Avoid viewing youth-produced sexual imagery. Instead, respond to what you have been told the image contains.
- ▶ If it is felt necessary to view, discuss with the head teacher first.
- ▶ Never copy, print, or share the image (it's illegal)
- ▶ View with another member of staff present (only schools)
- ▶ Record the fact that the images were videoed along with reasons and who was present. Sign and date.

Educating young people

- ▶ Teaching about safeguarding issues can prevent harm by providing young people with skills, attributes and knowledge to help them navigate risks.
- ▶ Addressing sensitive issues gives young people the space to explore key issues and the confidence to seek the support of adults should they encounter problems.
- ▶ Should include:
 - ▶ understanding healthy relationships including trust
 - ▶ understanding and respecting the concept of genuine consent
 - ▶ understanding rights (especially our collective right to be safe and to feel safe)
 - ▶ recognising abusive and coercive language and behaviours
 - ▶ accepting responsibilities (especially our responsibility to respect others trust and protect their right to be physically, emotionally and reputationally safe)

Summary

NSPCC



Keeping children safe online

Module 5: Sharing and sexting